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| 8        | UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON                                  |   |
| 9        | AT TACOMA  |   |
| 10       | JOHN E. BETTYS,  |   |
| 11<br>12 | Plaintiff,   | CASE NO. 16-cv-5076 RJB-JRC                       |
| 13       | v.   | ORDER GRANTING MOTION TO WITHDRAW PENDING MOTIONS |
| 14       | KEVIN QUIGLEY, et al.,   |   |
| 15       | Defendants.  |   |
| 16       |  |   |
| 17       | This 42 U.S.C. § 1983 civil rights matter has been referred to the undersigned Magistrate    |   |
|          | Judge pursuant to 28 U.S.C. §§ 636 (b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1, |   |
| 18       | MJR 3, and MJR 4. Before the Court is plaintiffs' motion to withdraw his Motion for          |   |
| 19       | Declaratory Judgment (Dkt. 51) and his Motion for Preliminary Injunction (Dkt. 52). Dkt. 60. |   |
| 20       | Because plaintiff's contention that his motions were prematurely filed is persuasive,        |   |
| 21       | plaintiff's motion to withdraw both of these motions is granted.                             |   |
| 22       |  |   |
| 23       |  |   |
| 24       |  |   |

Therefore, the Court grants plaintiff's motion (Dkt. 60) to withdraw his Motion for Declaratory Judgment (Dkt. 51) and his Motion for Preliminary Injunction (Dkt. 52). These motions (Dkts. 51, 52) will not be considered by the Court. Dated this 12<sup>th</sup> day of September, 2016. J. Richard Creatura United States Magistrate Judge